

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

Claim 7 has been amended, as supported on page 13, to recite that at least one further product exit aperture is in the fitment. Claim 28 has likewise been amended. It is believed that this obviates the Section 112 rejection as to those claims.

Claim 1 recites an exit in line 15. In claim 2, the first channel leads to the first product exit aperture. The recitation in claim 1 is to a generic exit and in claim 2 the exit is the specific exit recited, the first product exit aperture. It is believed that one of ordinary skill would well understand from the claim that claim 1 is not meant to specify a specific exit whereas in claim 2 a specific exit is specified. Therefore, it would appear that the claim is sufficiently definite for one of ordinary skill to understand what constitutes the invention and it is respectfully requested that the rejection be withdrawn.

Arnold et al., U.S. Patent No. 5,855,299 is apparently cited for its teaching of pouring aperture 28 in their fitment. The Office is unable to point to any teaching by Arnold et al. of a first finish locking surface which includes a first channel leading from a reservoir to an exit from the bottle (claim 1). Nor has the Office pointed to any teaching by Arnold et al. of a finish locking surface including a channel leading from a reservoir to an exterior of the container at the top of the bottle. The Office apparently relies on Yang to remedy these deficiencies. The structure pointed to by the Office is a drive means which comprises a lug containing a plurality of elongated slits 172. However, the Office point to no teaching by Yang as to the purpose of the slits. It would take some hindsight reconstruction of the references to suggest that one of ordinary skill would be led naturally by Arnold et al. and Yang, without the teachings of the present

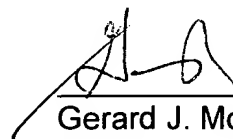
invention, to modify Arnold et al.'s container to include channels in inwardly extending locking ridges. For instance, since Arnold et al. already include aperture 28 it is not apparent what teaching in Yang would lead one of ordinary skill to include a channel in any locking surfaces. Especially is this so since the present invention is directed to a problem, apparently not at all germane to Arnold et al. drive means, that of minimizing liquid caught in a reservoir when the container is inverted. Therefore, it is respectfully requested that the Section 103 rejection be withdrawn.

Applicants include a copy of the drawings showing proposed additional reference numerals in red. As pointed out by the Office, these reference numerals are mentioned in the specification.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version With Markings To Show Changes Made."**

In view of the foregoing, it is respectfully requested that the application, as amended, be respectfully submitted.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Please amend claims 7 and 28 as follows:

7. (Amended) The container according to claim 2 further including at least one further product exit aperture in said fitment.

28. (Amended) The container according to claim 18 further including at least one further product exit aperture in said fitment.

FIG. 3

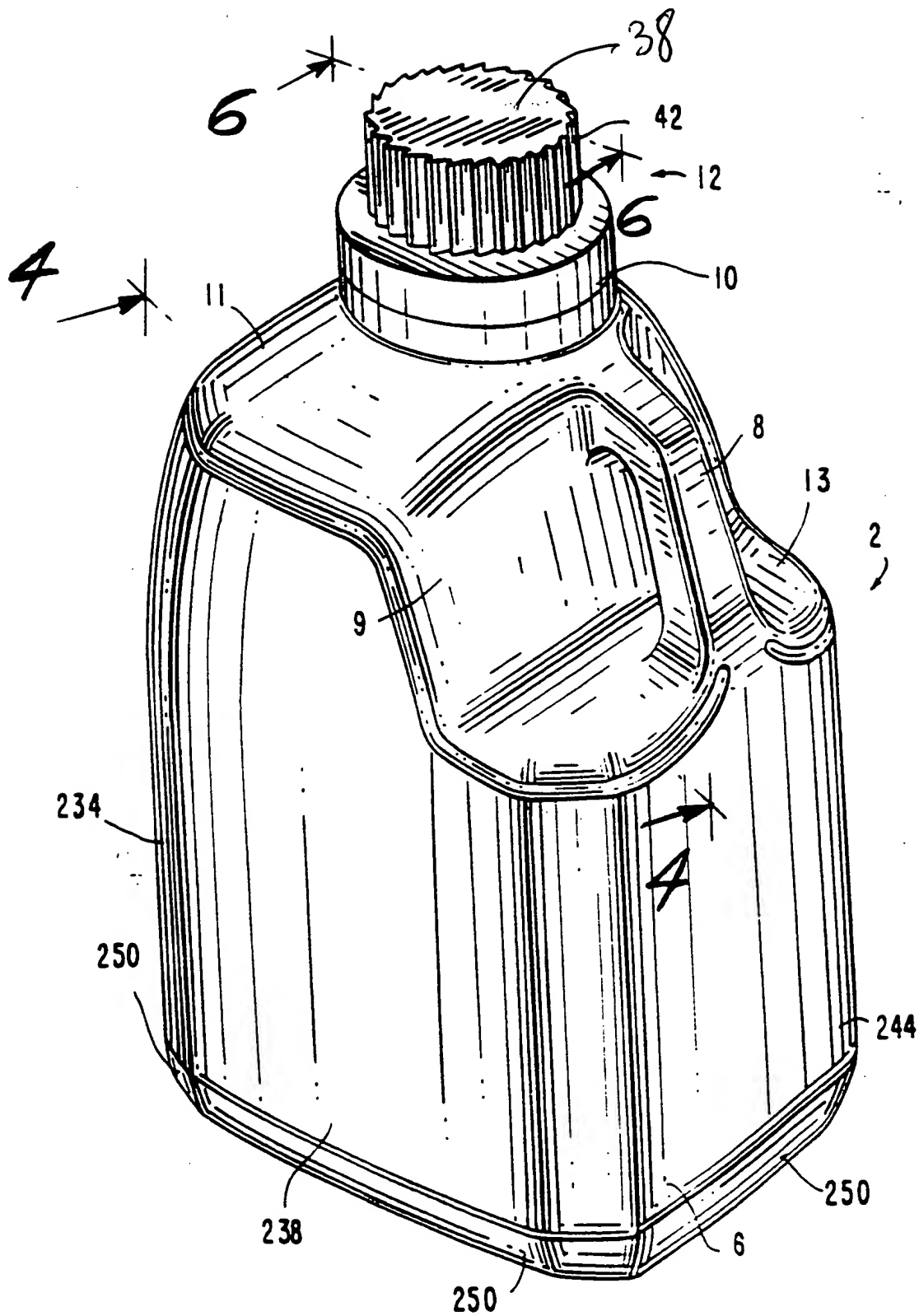


FIG. 4

